

112 2023:PHHC:042784
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-5452-2023 (O&M)
Date of Decision: 17.03.2023

GURCHARAN SINGH

....Petitioner(s)

Versus

**THE PUNJAB STATE COOPERATIVE SUPPLY AND
MARKETING FEDERATION LTD**

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Lovedev Singh, Advocate, for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India seeking a writ in the nature of *Mandamus* directing the respondents to release the retiral benefits of the petitioner accrued on his attaining the age of superannuation on 31.12.2022.

Learned counsel for the petitioner has submitted that the petitioner was entitled for the grant of retiral benefits alongwith interest for the delayed payments and also is aggrieved by the action of the respondents in wrongly calculating the deduction and in that regard the petitioner had sent a legal notice Annexure P-6 and also Annexure P-7 with a prayer that the recovery against the punishment order may be stopped and the amount already recovered in excess be refunded to the petitioner alongwith interest @ 18% per annum and also to pay the retiral dues alongwith excess amount deducted from his salary. He submitted that the aforesaid Annexure P-6 and P-7 have not been considered and decided by the respondents and at this

stage he restricts the scope of the present petition only to the extent for seeking a direction to the respondents to consider and decide the aforesaid Annexure P-6 and P-7 in accordance with law.

Notice of motion.

Mr. Ashish Bansal, Advocate accepts notice on behalf of the respondent and states that he has no objection in case the aforesaid legal notice (Annexure P-6) and representation (Annexure P-7) are considered and decided by the respondent strictly in accordance with law.

In view of the aforesaid position whereby the learned counsel for the petitioner has restricted the scope of the present petition, at this stage, only to the extent of seeking directions to the respondent to consider and decide the legal notice (Annexure P-6) and representation (Annexure P-7) in a time bound manner, this Court deems it fit and proper to dispose of the present petition at this stage.

Consequently, the present petition is disposed of with a direction to the respondent and without observing anything on the merits of the case to consider and decide the legal notice (Annexure P-6) and representation (Annexure P-7) within a period of three months from today strictly in accordance with law by passing a well-reasoned speaking order.

Needless to say that in case the petitioner is found to be entitled for any benefit as claimed by him, then the same shall be given to him within a period of next two months.

17.03.2023

rakesh

Whether speaking

Whether reportable

:

Yes/No

:

Yes/No

(JASGURPREET SINGH PURI)**JUDGE**